



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, TUESDAY, SEPTEMBER 27, 2005

No. 122

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 27, 2005.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

THE JUSTICE FOR PEACE OFFICERS ACT OF 2005

Mr. DREIER. Mr. Speaker, on April 29 of 2002, Los Angeles County Sheriff's Deputy David March was brutally slain execution-style during a routine traffic stop. Suspect Armando Garcia, an illegal immigrant, fled to Mexico within hours of Deputy March's murder and has avoided prosecution by U.S. authorities for over 3 years.

Mexico's refusal to extradite individuals who may face the death penalty or life imprisonment has hindered efforts

to bring Armando Garcia back to the United States to face prosecution for his crime. The same border that Garcia illegally crossed to enter our country now serves as a wall of protection for him. This is an outrage. It is an unspeakable injustice to the loved ones of David March, and to all of the men and women who risk their lives each day so that we can live in safety.

When our peace officers patrol their beats, keep an eye on our neighborhoods and police the streets, they are walking the line, selflessly enforcing our laws and keeping our communities safe. When the very laws they have a duty to uphold are abused by fleeing murderers, justice is denied, the security of peace officers is placed in jeopardy, and the rule of law on which our great Nation is based is weakened.

Over the last 3 years, I have joined many of my colleagues in efforts to see that Armando Garcia and other fugitives accused in killings on our soil are returned to the United States to face justice. We have met with officials from the Department of Justice and the Department of State. We have urged President Bush to call for aggressive action to change Mexico's extradition policy. I have met with President Fox and other high officials of the Mexican government, including their Supreme Court, in an effort to impress upon our neighbor that its extradition policy is intolerable. However, 3 years later, Armando Garcia and thousands of other fugitives still are beyond the grasp of our legal system.

Recently, in a potentially critical turning point, the Mexican Supreme Court issued a decision that allowed consecutive prison terms for certain murders. This could have the effect of recognizing that life imprisonment does not constitute cruel and unusual punishment, a position previously held by the Mexican Supreme Court, as I said. Amid sensitive talks and signs of progress, I remain committed to work-

ing with the administration to bring Deputy March's murderer to justice. But until that is achieved, Congress has a duty to take action to ensure that what happened to Deputy March never happens again.

It was at the urging of Los Angeles County Sheriff Lee Baca that my friend from Pasadena (Mr. SCHIFF) and I introduced H.R. 2363, the Peace Officer Justice Act, to make it a Federal crime to kill a peace officer and flee the country to avoid prosecution. This bill ensures that criminals who murder law enforcement officials and escape to another country will have the full weight of the Federal Government on their trail. This legislation is supported by the Fraternal Order of Police, the National Sheriffs Association and Roy Burns, president of the Association of Los Angeles Deputy Sheriffs. After we introduced the bill, Mr. Speaker, Los Angeles County District Attorney Steve Cooley voiced concerns to me with several of its provisions. Specifically, he believed that making such a crime a violation of Federal law would provide exclusive jurisdiction for the Federal Government to pursue a cop-killer who flees the country.

I have reached out to Mr. Cooley on numerous occasions for suggestions on how to improve the bill. Having addressed every single issue that the District Attorney raised, I, along with the gentleman from Pasadena, am reintroducing this legislation. It is now going to be called the Justice for Peace Officers Act. Thanks to the input from Mr. Cooley, this is a stronger, better and more aggressive bill.

This bill makes it a Federal crime to kill a peace officer and flee the country. And it makes the crime for first degree murder punishable by the death penalty or life imprisonment. The bill also goes a step further by making murder in the second degree punishable by a mandatory minimum of 30 years in prison or life imprisonment.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H8359